



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

For Purposes
Only

Application of: Tugrul T. Kararli, *et al.*
Serial No: 10/031,898
Filed: December 9, 2002
Title: Cyclooxygenase-2 Inhibitor Compositions Having Rapid Onset of
Therapeutic Effect
Confirmation No: 8229
Group Art Unit: 1615
Examiner: Carlos A. Azpuru
Attorney Ref: 6794S-000005/USC
Pharmacia Ref: 3267/1A/US
Pfizer Ref: 31214/USA

March 14, 2005

AMENDMENT C

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir/Madam:

Applicant submits this paper in response to the December 14, 2004 Office Action in
the above-referenced patent application.

Amended claims begin on page 2.

Remarks begin on page 7.

Amendment C
Appl. No. 10/031,898
March 14, 2005

Application No. 09/874,504, and claims 1-58 of U.S. Patent Application No. 10/113,157. Applicant requests withdrawal of this rejection. As noted above, claims 1, 3, 8-11, and 16-18 have been canceled, thereby mooted this rejection as to those claims. As to the remaining claims, neither U.S. Patent Application No. 09/874,504 nor U.S. Patent Application No. 10/113,157 has issued as a patent. As noted in MPEP §804(I):

[i]f the "provisional" double patenting rejection in one application is the only rejection remaining in that application, the examiner should then withdraw that rejection and permit the application to issue as a patent

In the instant application, the provisional double patenting rejection is the only rejection remaining. Accordingly, it should be withdrawn.

Because the provisional rejection must be withdrawn based on the above reason alone, Applicant makes no further representation as to the merits of the provisional rejection. In particular, Applicant makes no representation as to the merits of the statements in the Office action regarding whether the claims in this application are patentably distinct from the claims in U.S. Patent Application No. 09/874,504 or U.S. Patent Application No. 10/113,157.

* * * * *

Applicants believe that no fee is due in connection with this filing. If, however, Applicants do owe any such fee(s), the Commissioner is hereby authorized to charge the fee(s) to Deposit Account No. 08-0750. In addition, if there is ever any other fee deficiency or overpayment under 37 C.F.R. §1.16 or §1.17 in connection with this patent application, the Commissioner is hereby authorized to charge such deficiency or overpayment to Deposit Account No. 08-0750.

Applicant submits that the application is in condition for allowance, and requests that it be allowed. Applicant requests that the Examiner call the Undersigned if any issues arise that can be addressed over the phone to expedite examination of this application.

Amendment C
Appl. No. 10/031,898
March 14, 2005



Respectfully submitted,

A handwritten signature in cursive script, appearing to read "D. M. Gryte".

David M Gryte, PTO Reg. No. 41,809
Harness, Dickey & Pierce, P.L.C.
7700 Bonhomme, Suite 400
St. Louis, Missouri 63105
(314) 726-7500 (tel)
(314) 726-7501 (fax)

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8

I certify that this correspondence is being deposited with the U.S. Postal Service on **March 14, 2005** with sufficient postage as first class mail (including Express Mail per MPEP §512), and addressed to **Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450**.

A handwritten signature in cursive script, appearing to read "D. M. Gryte".

David M. Gryte

DMG/CCW/PML